IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION CASE NO.: 1:21-CV-00067

DMARCIAN, INC.,

Plaintiff,

٧.

DMARC ADVISOR BV, f/k/a dmarcian Europe BV,

Defendant.

PLAINTIFF'S RESPONSE REGARDING DEFENDANT'S BRIEF IN SUPPORT OF ITS MOTIONS IN LIMINE FILED **UNDER SEAL**

Plaintiff does agree that its damages information should be under seal but does not object to the filing of Defendant's motion in limine brief (Doc. 418) in the public record so long as dollar amounts are redacted.

This the 31st day of January, 2025.

/s/ Pamela S. Duffy

Pamela S. Duffy, N.C.S.B. No. 18329 pamela.duffy@elliswinters.com Tyler C. Jameson, N.C.S.B. No. 59348 ty.jameson@elliswinters.com Ellis & Winters LLP PO Box 2752 Greensboro, NC 27402 Telephone: (336) 217-4193

Attorneys for Plaintiff

OF COUNSEL:

/s/ David Dorey

David Dorey, DE #5283 Blank Rome, LLP David.dorey@BlankRome.com 1201 Market Street, Suite 800 Wilmington, DE 19801 Telephone: (302) 425-6418 Attorney for Plaintiff AI CERTIFICATION

Undersigned counsel hereby certifies that no artificial intelligence was

employed in doing the research for the preparation of this document, with

the exception of such artificial intelligence embedded in the standard on-line

legal research sources Westlaw, Lexis, FastCase, and Bloomberg.

Every statement and every citation to an authority contained in this

document has been checked by an attorney in this case and/or paralegal

working at his/her direction as to the accuracy of the proposition for which it

is offered, and the citation to authority provided.

This the 31st day of January, 2025.

/s/ Pamela S. Duffy

Pamela S. Duffy, N.C.S.B. No. 18329

pamela.duffy@elliswinters.com

Ellis & Winters LLP

PO Box 2752

Greensboro, NC 27402

Telephone: (336) 217-4193

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **PLAINTIFF'S RESPONSE REGARDING DEFENDANT'S BRIEF IN SUPPORT OF ITS MOTIONS IN LIMINE FILED UNDER SEAL** was served upon counsel for all other parties to this action listed below by efiling a copy of the same utilizing the Western District of North Carolina's efiling system:

Mr. Pressly M. Millen press.millen@wbd-us.com Mr. Samuel B. Hartzell Sam.hartzell@wbd-us.com Womble Bond Dickinson (US) LLP P O Box 831 Raleigh, NC 27602

Attorneys for DMARC ADVISOR BV, f/k/a dmarcian Europe BV

This the 31st day of January, 2025.

/s/ Pamela S. Duffy

Pamela S. Duffy, N.C.S.B. No. 18329 pamela.duffy@elliswinters.com
Ellis & Winters LLP
PO Box 2752
Greensboro, NC 27402
Telephone: (336) 217-4193
Attorney for Plaintiff